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Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

**ARMANDO MORALES,**

Petitioner,

**v.**

**DARREL ADAMS, Warden,**

Respondent.

08cv705 JAH (PCL)

**MOTION FOR  
ENLARGEMENT OF TIME TO  
FILE ANSWER TO PETITION  
FOR WRIT OF HABEAS  
CORPUS**

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The Honorable Peter C. Lewis

Daniel Rogers declares:

I am the Deputy Attorney General assigned to prepare the Answer in this matter which is due on July 7, 2008. I request time to file the Answer be extended thirty (30) days through August 6, 2008, for the following reasons:

This Court ordered a response to the Petition on May 14, 2008. I have not previously requested an enlargement of time in this matter.

I am currently preparing responses to petitions for writ of habeas corpus in *Tran v. Hernandez*, SACV 08-346-PA (SS); *Stockdale v. Adams*, EDCV 08-0562 RSWL (FMO); *Shephard v. Sullivan*, EDCV 08-579 ODW (JC); *Morales v. Adams*, 08cv705JAH (PCL); *Momon v. Poulos*,

1 EDCV 08-701 JVS (JC) and *Weller v. Adams*, EDCV 08-749-SGL (AGR), as well as an Opposition  
2 to a Supplemental Brief in *Lomack v. Scribner*, 07cv0017-L (WMc).

3 Since this Court ordered a response to the instant Petition, I have filed an Answer in  
4 *Brewer v. Salazar*, 08cv0029-H (PCL); *Hollis v. People of the State of California*, EDCV 07-1501-  
5 SVW (RC); *Evans v. Tilton*, 07cv0791-JM (BLM), and *Crouse v. Marshall*, 08-0166 IEG (LSP),  
6 and a Supplemental Answer in *Nguyen v. Horel*, 07-0752-MMM (JTL). I have also filed a Motion  
7 to Dismiss in *Regalado v. Dexter*, CV 08-672-DSF (MAN), filed a Reply to Petitioner's Opposition  
8 to a Motion to Dismiss in *Vasquez v. County of San Bernardino*, EDCV 07-1682-JVS (MAN), and  
9 filed an Appellee's Brief in *Poland v. Clark*, 07-56702. Additionally, I have completed a draft of  
10 an Opposition to a Supplemental Brief in *Lomack v. Scribner*, 07cv0017-L (WMc).

11 In addition to the assignments described above, I advise district attorney personnel  
12 throughout the state in executing their responsibilities in responding to international child abduction  
13 matters under the Hague Convention on the Civil Aspects of International Child Abduction. 42  
14 U.S.C. § 11601 et. seq.; Cal. Fam. Code § 3455. These are time-sensitive matters that arise  
15 unpredictably and require immediate attention. I spend roughly one day per week on average  
16 working on child abduction matters.

17 I generally work on cases in the order they are assigned to me. I am currently preparing  
18 my response in *Tran v. Hernandez*, due August 1 after receiving two enlargements of time. When  
19 I complete my response in that matter, I will begin preparing my responses in *Stockdale v. Adams*  
20 and *Shephard v. Sullivan*. When I have completed my responses in those matters, I will begin  
21 preparing my response in the instant matter. I am currently working evenings and weekends to  
22 complete the above assignments.

23 Granting of an enlargement of time will permit me to gather the necessary state court  
24 records and allow my response to be prepared without impairing its quality and allow adequate time  
25 for review and processing.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct.

3 DATED: July 5, 2008 at San Diego, California.

4  
5 Respectfully submitted,

6 EDMUND G. BROWN JR.  
Attorney General of the State of California

7 DANE R. GILLETTE  
Chief Assistant Attorney General

8 GARY W. SCHONS  
Senior Assistant Attorney General

9 KEVIN VIENNA  
10 Supervising Deputy Attorney General

11  
12 s/ Daniel Rogers  
13 DANIEL ROGERS  
14 Deputy Attorney General  
Attorneys for Respondent

15 DR:kw  
16 80256839.wpd  
SD2008801249

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Morales v. Adams**

No.: **08cv705 JAH (PCL)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 7, 2008, I served the attached **application for enlargement of time to file answer to petition for writ of habeas corpus and order granting enlargement of time** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West "A" Street, Suite 1100, San Diego, California 92101, addressed as follows:

**Armando Morales  
#P80673  
CSP Corcoran  
Post Office Box 3481  
Corcoran CA 93212**

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 7, 2008, at San Diego, California.

Kimberly Wickenhagen

Declarant

  
Signature